

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERTO GARZA-MARTINEZ,

Petitioner,

vs.

GREG SMITH, *et al.*,

Respondents.

Case No. 3:14-cv-00109-HDM-WGC

ORDER

This is a habeas action pursuant to 28 U.S.C. § 2254. The court appointed the Federal Public Defender to represent petitioner (#13). Before the court is petitioner's counseled motion to voluntarily dismiss his habeas petition (#14). Petitioner has also filed a declaration in both English and Spanish explaining that, after consulting with counsel, he wishes to voluntarily dismiss this action (#15). Petitioner further indicates that he understands that such dismissal will bar him from seeking further federal habeas review. *Id.* at 2. Respondents do not oppose (#16).

IT THEREFORE IS ORDERED that petitioner's voluntary motion to dismiss the petition (#14) is **GRANTED**. The petition is dismissed with prejudice.

IT FURTHER IS ORDERED that the Clerk shall **ENTER JUDGMENT** accordingly and close this case.

DATED: February 24, 2015.



HOWARD D. MCKIBBEN
United States District Judge